



NO. VLC-S-H-121044
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

HOME TRUST COMPANY

PETITIONER

AND:

STEWART EDWARD IRVINE,
CARMEL YOKO RICHTER,
SHERWIN JACK-YEN HO,
OLYMPIA TRUST COMPANY, IN TRUST
JOHN DOE and JANE (Tenants)

RESPONDENTS

RESPONSE TO PETITION

[Rule 22-3 of the Supreme Court Civil Rules applies to all forms]

Filed by: CARMEL YOKO RICHTER and SHERWIN JACK-YEN HO (the "Petition Respondents")

THIS IS A RESPONSE to the Petition filed October 15, 2012

Part 1: ORDERS CONSENTED TO

The Petition Respondents consent to the granting of the Orders set out in the following paragraphs of

Part 1 of the Petition: None.

Part 2: ORDERS OPPOSED

The Petition Respondents oppose the granting of the Orders set out in paragraphs of Part 1 of the Petition: 7 (if costs are sought at a scale higher than A), 9, 11, 12, 14, 16, 17, 5 (no. 5 is opposed if Petitioner seeks a shortened redemption period).

54

Part 3: ORDERS ON WHICH NO POSITION IS TAKEN

The Petition Respondent takes no position on the granting of the Orders set out in paragraphs 1, 2, 3, 4, 6, 8, 10, 13 and 15 of Part 1 of the Petition.

Part 4: FACTUAL BASIS

[Using numbered paragraphs, set out a brief summary of the material facts on which the Orders sought in the Petition should not be granted]

1. There is equity in the property for the Petitioner's mortgage.


Part 5: LEGAL BASIS

[Using numbered paragraphs, list the affidavits served with this response to Petition and any other affidavits and other documents already in the Court file on which the Petition Respondent will rely. Each Affidavit included on the list must be identified as follows: Affidavit # [sequential number, if any, recorded in the top right hand corner of the affidavit] of [name] , made [dd/mm/yyyy]]

1. Affidavit to be filed at or before the date scheduled for hearing of the Petitioner's application for Order Nisi of Foreclosure.

The Petition Respondents estimate that the application will take ten minutes *[time estimate]*.

Date: 22/10/2012 [dd/mm/yyyy]


 Signature of _____
☐ Petition Respondent
☒ Lawyer for Petition Respondents
Jack Micner

Petition Respondent's address for service:

Suite 440 – 5900 No. 3 Road
Richmond, B.C. V6X 3P7

Fax number for service: (604)233-7017

E-mail address for service: jack@willpowerlaw.com

Name of the Petition Respondent's Lawyer: Jack Micner

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Cobbett/Cotton; Richter/Ho (v. Irvine)
File no. 21903JM

Spry Hawkins Micner
Barrister and Solicitor
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